

OCT 29 2007

PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/789,051	ATTY. DOCKET NO.: C1039.70083US06
				FILING DATE: February 26, 2004	CONFIRMATION NO.: 8295
				APPLICANT: Krieg et al.	
				GROUP ART UNIT: 1645	EXAMINER: O. Ogunbiyi
Sheet	1	of	3		

U.S. PATENT DOCUMENTS

Examiner's initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
/00/		5,658,891		Draper et al.	08-19-1997
		5,665,580		Crooke et al.	09-09-1997
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		2007-0129320	A9	Davis et al.	06-07-2007
		2007-0142315	A1	Forsbach et al.	06-21-2007
		2007-0184465	A1	Wagner et al.	08-09-2007
		2007-0202128	A1	Krieg et al.	08-30-2007
		2007-0224210	A1	Krieg et al.	09-27-2007
		2007-0232622	A1	Lipford et al.	10-04-2007
		2007-0129320	A9	Davis et al.	06-07-2007
		2007-0142315	A1	Forsbach et al.	06-21-2007
		2007-0184465	A1	Wagner et al.	08-09-2007
		2007-0202128	A1	Krieg et al.	08-30-2007
		2007-0224210	A1	Krieg et al.	09-27-2007
		2007-0232622	A1	Lipford et al.	10-04-2007

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/Oluwatosin Ogunbiyi/

DATE CONSIDERED:

12/21/2007

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FORM PTO-1449/A and B (modified PTO/SB/08)				APPLICATION NO.: 10/789,051	ATTY. DOCKET NO.: C1039.70083US06
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: February 26, 2004	CONFIRMATION NO.: 8295
				APPLICANT: Krieg et al.	
Sheet	2	of	3	GROUP ART UNIT: 1645	EXAMINER: O. Ogunbiyi

FOREIGN PATENT DOCUMENTS

Examiner's initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's initials #	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
/00/		BRANDA et al., B-cell proliferation and differentiation in common variable immunodeficiency patients produced by an antisense oligomer to the rev gene of HIV-1. Clin Immunol Immunopathol. 1996 May;79(2):115-21.	
		JACOBSON et al., Early viral response and on treatment response to CpG 10101 (ACTILON™), in combination with pegylated interferon and/or ribavirin, in chronic HCV genotype 1 infected patients with prior relapse response. 57 th Annual Meeting of American Association for the Study of the Liver Diseases (AASLD). 2006 Oct 30, Boston, Massachusetts; Presented Abstract #96.	
		McHUTCHISON et al., Early viral response to CpG 10101, in combination with pegylated interferon and/or ribavirin, in chronic HCV genotype 1 infected patients with prior relapse response. 41 st Annual Meeting of European Association for the Study of the Liver (EASL). 2006 April 26-30, Vienna, Austria; Submitted Abstract.	
		McHUTCHISON et al., Final results of a multi-center phase 1B, randomized, placebo-controlled, dose-escalation trial of CpG 10101 in patients with chronic hepatitis C virus. 41 st Annual Meeting of European Association for the Study of the Liver (EASL). 2006 April 30, Vienna, Austria; Presented Abstract #111.	
		McHUTCHISON et al., Early clinical results with CpG 10101, a new investigational antiviral TLR9 agonist being developed for treatment of subjects chronically infected with hepatitis C virus. 12 th International Symposium on Viral Hepatitis and Liver Disease (ISVHLD). 2006 July 3, Paris, France; Presented Abstract #O105.	
		YAMAMOTO, Cytokine production inducing action of oligo DNA. Rinsho Meneki. 1997; 29(9): 1178-84. Japanese.	Yes
*		Patent Interference No. 105,526. Krieg Substantive Motion 1 (for unpatentability based on interference estoppel). (Electronically filed, unsigned).	
*		Patent Interference No. 105,526.. Krieg Substantive Motion 2 (for judgment based on inadequate written description and/or enablement). (Electronically filed, unsigned). June 18, 2007.	
*		Patent Interference No. 105,526. Krieg Contingent Responsive Motion (to add new claims 104 and 105). (Electronically filed, unsigned). July 25, 2007.	
V	*	Patent Interference No. 105,526. Krieg Substantive Motion 3 (for judgment based on prior art). (Electronically filed, unsigned). June 18, 2007.	

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/Oluwatosin Ogunbiyi/	12/21/2007

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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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APPLICATION NO.: 10/789,051	ATTY. DOCKET NO.: C1039.70083US06
FILING DATE: February 26, 2004	CONFIRMATION NO.: 8295
APPLICANT: Krieg et al.	
GROUP ART UNIT: 1645	EXAMINER: O. Ogunbiyi

/00/	*	Patent Interference No. 105,526. Raz Motion 1 (Unpatentability of Krieg Claims under 35 U.S.C. § 112, First Paragraph). (Electronically filed, unsigned). June 18, 2007.	
/00/	*	Patent Interference No. 105,526. Raz Motion 2 (Raising a Threshold Issue of No Interference-in-Fact). (Electronically filed, unsigned). June 18, 2007.	
	*	Patent Interference No. 105,526.. Raz Motion 3 (Krieg's Claims are Unpatentable Over Prior Art Under 35 U.S.C. § 102(b)) (Electronically filed, unsigned). June 18, 2007.	
	*	Patent Interference No. 105,526. Raz Motion 4 (To Designate Krieg Claims 46 and 82-84 as Corresponding to Count 1). (Electronically filed, unsigned). June 18, 2007.	
	*	Patent Interference No. 105,526. Raz Responsive Miscellaneous Motion 5 (To revive the Raz Parent Application) (Electronically filed, unsigned) July 25, 2007.	
	*	Patent Interference No. 105,526. Raz Contingent Responsive Motion 6 (To Add a New Claim 58) (Electronically filed, unsigned) July 25, 2007.	
	*	Patent Interference No. 105,526. Krieg Opposition 1 (Opposition to Motion for Lack of Enablement and Written Description) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Krieg Opposition 2 (to Raz Motion 2) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Krieg Opposition 3 (To Raz Motion 3) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Krieg Opposition 4 (Opposition to Motion for Designating Claims 46 and 82-84 as Corresponding to the Court) (Electronically filed, unsigned) September 10, 2007.	
		Patent Interference No. 105,526. Krieg Opposition 6 (Opposition to Raz Contingent Responsive Motion 6) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Raz Opposition 1 (Opposing Krieg Substantive Motion 1) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Raz Opposition 2 (Opposing Krieg Substantive Motion 2) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Raz Opposition 4 (Opposing Krieg Contingent Responsive Motion to Add New Claims 104 and 105) (Electronically filed, unsigned) September 10, 2007.	
	*	Patent Interference No. 105,526. Krieg Reply 1 (Reply to Raz opposition 1) October 5, 2007	
	*	Patent Interference No. 105,526. Krieg Reply 2 (Reply to Raz opposition 2) October 5, 2007	
	*	Patent Interference No. 105,526. Krieg Reply 4 (Reply to Raz opposition 4) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 1 (Reply to Krieg opposition 1) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 2 (Reply to Krieg opposition 2) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 3 (Reply to Krieg opposition 3) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 4 (Reply to Krieg opposition 4) October 5, 2007	
	*	Patent Interference No. 105,526. Raz Reply 6 (Reply to Krieg opposition 6) October 5, 2007	

copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 10/690,495, filed October 21, 2003, and relied on for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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Used in Lieu of PTO/SB/08A/B
(Based on PTO 04-07 version)

Substitute for form 1449/PTO				Complete If Known	
				Application Number	10/789,051-Conf. #8295
				Filing Date	February 26, 2004
				First Named Inventor	Arthur M. Krieg
				Art Unit	1645
				Examiner Name	O. A. Ogunbiyi
Sheet	1	of	1	Attorney Docket Number	C1039.70083US06

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS					
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
/00/		PRESS RELEASE, Coley Pharmaceutical Group, Inc. Coley Pharmaceutical Group Announces Pfizer's Discontinuation of Clinical Trials for PF-3512676 Combined with Cytotoxic Chemotherapy in Advanced Non Small Cell Lung Cancer, June 20, 2007			
/00/		PRESS RELEASE, Coley Pharmaceutical Group, Inc., Coley Pharmaceutical Group Updates Hepatitis C Drug Development Strategy, January 22, 2007			
/00/		KRIEG, A., Development of TLR9 agonists for cancer therapy. J. Clin. Invest.. 2007 May, 117(5); 1184-1194			
/00/		KRIEG, A., Antiinfective Applications of Toll-like Receptor 9 Agonists. Proc Am Thorac Soc. 2007, 4; 289-294			
/00/		SFONDORINI, L. et al. Prevention of spontaneous mammary adenocarcinoma in HER-2/neu transgenic mice by foreign DNA. FASEB Journal. 2002, Nov. 16;1749-1754			
/00/		SMITH J. and WICKSTROM E. Antisense c-myc and Immunostimulatory Oligonucleotide Inhibition of Tumorigenesis in a Murine B-Cell Lymphoma Transplant Model. J. Natl Cancer Inst. 1998 Aug 5. 90(15); 1146-1154.			

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¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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